

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

September 4, 2002

6:15 PM

Chairman Sysyn called the meeting to order.

The Clerk called the roll.

Present: Aldermen Sysyn, Guinta, Osborne, Garrity, Forest

Messrs: T. Lolicata, Lt. Lussier, Deputy Solicitor Arnold

Chairman Sysyn addressed item 3 of the agenda:

Communication from Doris Lauzon inquiring as to the reasons why the No Parking sign on Schiller Street was removed.

Deputy Clerk Johnson stated I know it is contained in the traffic agenda but she is asking why the signs were removed.

Mr. Lolicata stated I explained that whole thing to her. This is all set. They are going to get their "No Parking" put back on Schiller Street except for the first house who does not want it. Mrs. Rousseau and Mrs. Lauzon have been made aware of the situation. If you pass it tonight they are going to get their "No Parking" put back in again except up on top where they want parking. The reason that was done was because that person wanted parking up there. It went through the Traffic Committee like everything else. It is just a matter of putting the "No Parking" back in place except for the first 60 or 70 feet on top where they want parking.

Deputy Clerk Johnson stated she is asking why it wasn't but she is also asking that it be put back. Do you want to receive and file and refer this to the traffic agenda, which you are going to take up shortly?

On motion of Alderman Osborne, duly seconded by Alderman Forest, it was voted to receive and file this item.

Chairman Sysyn addressed Item 4 of the agenda:

Communication from Chandrakant Patel owner of A & P Convenience, LLC located at 64 Merrimack Street requesting changes to parking meters in this area.

Mr. Lolicata stated I checked this out. They are not parking meters. There are two 15-minute signs up there. I will change the hours for the next traffic agenda. He needs 8 AM until 10 PM seven days a week and I will write that up for you. I have spoken to him.

On motion of Alderman Guinta, duly seconded by Alderman Garrity, it was voted to receive and file this item.

Chairman Sysyn addressed Item 5 of the agenda:

Communication from Carlos and Felipe Pineda of Fusion Coffee & Tea advising that business owners in the Downtown area proposing an Employee Parking Validation Program similar to Intown Manchester's parking validation program.

Chairman Sysyn stated we have parking validation for customers downtown. I think you would be opening a can of worms on this one because other people pay a monthly fee for their employees to park downtown.

Alderman Guinta stated I haven't spoken to the people at Fusion so I don't know who they are writing...I don't know if they are writing on their own behalf. They are suggesting that they are writing on behalf of several downtown merchants.

Chairman Sysyn stated Stephanie Lewry came to see me today. She was going to be here and she listen to what we had to say. She said that nobody really had a chance to look at this.

Alderman Guinta stated Intown Manchester doesn't meet, I think, until September.

Deputy Clerk Johnson asked did you want to table this and allow them to at least discuss it amongst themselves.

Alderman Guinta asked what is the current system.

Chairman Sysyn answered there isn't one. If I wanted an employee to park in one of the garages, I would look for a monthly permit. I have a friend who works at one of the stores downtown and they pay for a monthly parking permit in the garage. I don't know how many employees he has. It is the same with Margaritas. You would have to do it for all of these people.

Alderman Guinta asked so he is looking for a better rate than what is out there right now.

Chairman Sysyn answered right. It is 50 cents an hour. If you buy those validation stickers, they are 25 cents each.

Deputy Clerk Johnson stated I think someone is here from Fusion.

Mr. Carlos Pineda stepped forward and introduced himself.

Alderman Guinta asked what other businesses have you spoken to.

Mr. Pineda answered I spoke to the Margaritas employees who tend to park in the Victory Garage and they pay for their own parking. Some of the do park in the streets not allowing customers...their customers, my customers and everyone's customers to park and go anywhere.

Alderman Guinta asked so the idea is to have some sort of program where your employees are parking off-site so patrons and customers can use the downtown spaces.

Mr. Pineda answered yes.

Alderman Guinta asked and the only thing we have that is similar to that right now is...

Chairman Sysyn interjected validation for customers, which I do and which Modern Bride does.

Alderman Guinta asked but we don't have any sort of validation for employees.

Chairman Sysyn stated I have talked to the owner of Modern Bride and he has used a few of his tickets for his employees but the girl in the garage knows the employees and gives them a hard time because they are not supposed to do that.

Mr. Lolicata stated if you start doing something like this you are going to have to do it for everybody in the City. You might as well forget your parking rate and give everybody tickets. That is what is going to happen.

Alderman Guinta asked do you know how many employees there are at Margaritas. Would any one venture a guess – 20?

Chairman Sysyn replied at least.

Alderman Guinta stated I am talking full-time. I am thinking at night...

Chairman Sysyn interjected they may have 40 employees. They don't work every night. In the restaurant business, particularly if you are waiting on tables, you might work 30 hours tops.

Alderman Forest asked is this something that we can investigate for the future.

Alderman Guinta answered yes but in the meantime I am wondering if we can just have employers talk to their employees about suggesting that they park in alternative spots. It may take us a little time to sift through this.

Mr. Lolicata replied the only response I have is you have to remember where you are. You are downtown. The only spots available are like everybody else. What they find in the meter or in the garage and they pay by the hour. That is 50 cents an hour.

Mr. Pineda stated it is cheap but for employees who earn \$7/hour and sometimes work 10 hours it just doesn't balance.

Mr. Lolicata replied the only other suggestion I have is to park further up where there are no meters at all and walk down where it is free.

Chairman Sysyn stated people park near my house. I live right across from Central High School and people park there to walk downtown.

Mr. Lolicata stated that is the only alternative you have. If they get there early enough they can park up beyond Union Street. That is free parking.

Mr. Pineda stated I tried to put myself in the employee's position and these people earn \$7/hour and have two or three jobs. They are usually in a rush from job one to job two to job three. They are in a circle and they don't have time to park six blocks away and be on time for work and they get fired.

Mr. Lolicata replied three blocks away is Union Street. Everything east of that there are no meters at all.

Mr. Pineda asked find a spot on Union Street or above Chestnut Street.

Mr. Lolicata stated I mean on the side streets like Amherst. They don't have meters. What I am trying to say is two to three blocks away, not five or six. Outside of that I don't know what else I can tell you. That is why Margaritas parks in the garage.

Mr. Pineda asked wouldn't creating a parking validation program for employees give an incentive for customers and patrons to come downtown knowing that there will be more parking available for them on the main street.

Alderman Guinta replied I think if we can create an incentive where employees are not parking on the street...I don't know if that is our responsibility or a responsibility that should rest with the employers to somehow talk to their employees about alternative parking solutions. The problem that we do have here is if we do this it would end up being for every single business entity in the Central Business District and I wouldn't even venture a guess as to how many employees we have but there have to be thousands.

Mr. Pineda responded but then it is going to benefit the City. If we, the employers, are paying for 50% of their parking, that money is going to the City. If they are parking on Union Street or any other street where there are no meters there is no money coming in to the City. It benefits both employers and the City.

Lt. Lussier stated if you are supplying them a pass or if you are saying that you are paying for a portion of their parking, why don't you buy a pass to the garage and sell it to them at half price so you contribute half and they contribute half.

Mr. Pineda replied because passes are monthly and these \$7/hour employees usually last seven or eight weeks and me purchasing a pass for employees to come downtown and park is going to be a hassle. I have 11 employees. A monthly parking pass is \$54.

Alderman Forest asked is that something that we can work out so he can do that.

Mr. Lolicata answered it is done by the month. It is a lease.

Alderman Forest asked is there something we can look at where we can work something out to do something like that.

Mr. Lolicata answered I really don't know what I can do. The daily rate at Victory is equal to the coupons that you are talking about and these employees go anywhere from four or five hours a day to eight or ten hours a day. Outside of walking like I said for three or four blocks, their best bet is right in the garage like anybody else. If we do that for those people, I am talking the whole City of Manchester has to have the same benefit.

Mr. Pineda asked would it benefit the City.

Mr. Lolicata answered not really. They are all paying now so much for a meter and for a lease in the garage.

Mr. Pineda stated but the leases start at the beginning of the month and sometimes we get people in halfway through the month or at the end of the month and they won't get a pass.

Mr. Lolicata replied but those people who are not working 40 hours, I am agreeing with you, should be paying the daily rate. They are probably better off. It is cheaper. They are not putting in 40 hours like you said so they are better off paying the daily rate. I think for \$2.25 or \$2.50 you can park in the garage.

Chairman Sysyn responded not know. It would cost \$4 for eight hours. It is 50 cents an hour. You brought the garage rates up to what is on the street. You are talking \$20/week for five days. If you bought a monthly pass it costs \$56. You don't need to buy seven permits because they could share these. They don't all work the same shift do they?

Mr. Pineda replied no but then you encounter problems. If you leave the garage and someone wanted to leave the garage because he was parked before it cannot work. It is the system. It is complicated for that \$7/hour individual to come and work at Fusion or Modern Bride or anywhere else.

Chairman Sysyn responded you are going to have all of the employees downtown that will want the same deal. I think Alderman Lopez wants to speak.

Alderman Lopez stated I just want to put my two cents in. You can have all of your employees park for nothing down at the Rubenstein parking lot. It only takes 11 minutes to walk there.

Chairman Sysyn asked what parking lot.

Alderman Lopez answered the Rubenstein lot. They can park there for nothing. There are no meters down there.

Alderman Guinta stated the concern that Carlos mentioned was employees getting to work on time.

Alderman Lopez replied yes I know but you are not going to be able to stop anybody from parking at any meters.

Mr. Pineda responded no but it would help the situation by moving them somewhere else that is centrally located like the garage. This is where you guys can park. I will bring it to the attention of my employees but I am sure that many of them would arrive late and then it is a conflict of interest between them parking and working or arriving on time.

Alderman Guinta asked you said you have 11 employees.

Mr. Pineda answered yes.

Alderman Guinta asked do all of them have more than one job.

Mr. Pineda answered all except two but those two come in at 6 AM so they park right in front and then they park in the garage.

Alderman Guinta stated I have to think that if someone is coming in at 6 AM they can find a parking spot somewhere other than right in front of Fusion.

Mr. Pineda replied they do and then they move their cars. They end up in the parking garage.

Alderman Guinta stated and that is costing them \$20/week right now.

Chairman Sysyn stated if they work eight hours a day.

Alderman Guinta stated it is not a bad idea if you bought one pass and split it with them and it is \$27/each...it is cheaper for them.

Mr. Pineda stated if I buy a pass I need to make sure that that pass goes from one employee to the other one on time so there is no problem with them arriving at the garage or leaving the garage.

Mr. Lolicata stated no offense but 6 AM and a matter of two blocks in five minutes you can park for free.

Mr. Pineda stated the people who come in at 6 AM I have no problem with. They are always on time. The problem arises in the afternoon.

Mr. Lolicata asked what time do the other nine employees come in.

Mr. Pineda answered 11:30 AM and 5 PM. They are never on time and can never find a parking space. If they park at the Victory garage during Verizon events they have to pre-pay, which is \$5, however Margaritas employees arrive an hour before the pre-pay is established and they leave after 10 PM and they don't have to pay. My employees have to pay.

Chairman Sysyn stated Margaritas employees are supposed to pay they are just not paying.

Alderman Guinta stated we are trying to resolve that problem. That should be resolved by November. Our intention is to resolve some of those issues.

Chairman Sysyn asked what time do you close.

Mr. Pineda answered we close at 10 PM Monday through Wednesday and midnight on Thursday, Friday and Saturday.

Alderman Forest stated maybe they can work with Intown and come up with some suggestion.

Alderman Guinta stated I have no problem tabling this and trying to put some heads together to see if something can be done. At this point I am not going to be optimistic but...

Chairman Sysyn interjected right because you would be opening this up to the whole City.

Mr. Pineda stated on December 17 if there is a snowstorm and they park at Singer Park they will not be on time. Our policy is on the third time you are late you are out so we end up losing good employees because they are late for work. They make an effort to be in on time but parking complicates their life.

Alderman Lopez stated I think the problem is the whole City. If you do it for one, you have to do it for everybody.

Chairman Sysyn replied right and do you know how many employees you have downtown.

Mr. Lolicata stated I haven't got any more answers.

Alderman Guinta moved to table this item. Alderman Forest duly seconded the motion.

Mr. Pineda asked if it is done for employees downtown why can't it be done for everyone downtown.

Alderman Guinta answered it is done for customers right now.

Chairman Sysyn stated if somebody comes and has been shopping downtown, I give them a stamp on their ticket. I buy them. It costs me 25 cents a piece.

Alderman Guinta stated that is a decision of the business owner.

Chairman Sysyn replied right. It was to get customers downtown. We wondered why Margaritas and some other places didn't want to do it. It is only good for three hours. I think you are opening a can of worms.

Mr. Lolicata stated I can't just cater to this guy or that guy. We would actually be subsidizing parking for not just the customers but all employees who come downtown to work and that is what the whole downtown area is taken up with – employees who work here.

Chairman Sysyn called for a vote on the motion to table. There being none opposed, the motion carried.

Chairman Sysyn addressed Item 6 of the agenda:

Communication from Rene and Cynthia Therrien requesting the placement of a Stop Sign rather than a Yield Sign at the intersection of Third and Cleveland Streets.

Mr. Lolicata stated if it is on Third Street it is okay.

On motion of Alderman Osborne, duly seconded by Alderman Garrity, it was voted to approve this request.

Chairman Sysyn addressed Item 7 of the agenda:

Petition submitted by residents of Manchester requesting that speed in alleyways be reduced to 15 mph city-wide.

Deputy Solicitor Arnold stated there is a State statute that basically provides that the City cannot reduce a speed on streets under 25 mph. At the last meeting there was some discussion about there being an exception for an alley but I did not find one in the statutes.

Mr. Lolicata asked so the best I can do is 25 mph.

Deputy Solicitor Arnold answered yes and that requires traffic studies.

Mr. Lolicata stated I think there is another law that they passed for streets that were 20 feet or less.

Deputy Solicitor Arnold replied I did not find it when I looked.

Mr. Lolicata stated well I started something but I haven't got the time, men or anything but one sign alone is \$4 or \$5 and I haven't got the faintest idea and I have nobody right now to go out and count the back alleys of the City of Manchester. You are now talking two signs coming and going. That is the best way to do it. If these people come back I would like to look into their particular situation to help them. Just to give you an idea of difficulty, Walnut East Back Street is also called Beech West Back Street and you would have to have each one with an a.k.a. There is a lot involved here and there is a lot of money involved here right now and I can't possibly do it until I have somebody free to go out and do some calculations.

Lt. Lussier stated we don't have signs for all night parking so why do we need signs stating what the speed in the alleyway is. There are no signs anywhere saying that there is all night parking in the City and yet we enforce it and tag people.

Deputy Solicitor Arnold stated well again it is because of the State statute. If I remember...I don't have it here but I believe that if you reduce it it has to be posted. I would have to look at the statute again.

Chairman Sysyn stated I wanted to note that one of the petitions came from Neighborhood Housing and the other one came from Mary Tennessey from the north end and one from the West Side.

Deputy Clerk Johnson stated the other thing I would note because you would not be able to identify by street is you would have to hire a consultant to come in and put the listing together for the table because by law we would have to includes these in the tables.

Chairman Sysyn replied then we would be wasting our time tabling this.

Deputy Clerk Johnson responded I am not saying that. What I am saying is first of all the statute needs to be changed and then we would have to authorize someone to do that. Once you got through that process then we would have to get some special funding from CIP or something to get it all put together. It is not impossible to do.

Alderman Osborne asked can't we get the Board to vote and get the statute changed.

Deputy Clerk Johnson stated the Committee could recommend that the Board request that the State statute be revised.

Alderman Osborne stated 30 mph in an alley is ridiculous. Did you ever go 30 mph in one of those alleys?

Alderman Guinta stated we could file legislation but the earliest it would be passed would be March or April. You would have to get on board Nashua, Portsmouth, Concord and some other cities.

Chairman Sysyn asked so what should we do.

Deputy Clerk Johnson replied if the Committee is interested in having this done then you want to recommend that the Board request the Manchester delegation to change that statute.

On motion of Alderman Osborne, duly seconded by Alderman Guinta, it was voted to recommend that the Board request the Manchester delegation to change that State statute dealing with speed limits in alleyways.

Chairman Sysyn advised that the Traffic Department has submitted an agenda, which needs to be addressed as follows:

NO PARKING LOADING ZONE (8AM-8PM - MON-SAT):

On Hanover St. north side, from Chestnut St. to a point 50 feet west
Alderman Guinta

RESCIND NO PARKING LOADING ZONE (ord7785):

On Hanover St. north side, from Chestnut St. to a point 50 feet west
Alderman Guinta

NO TRUCKS ALLOWED (\$300 FINE):

On Beacon St. from Hanover St. to Spruce St.
Alderman Sysyn

On Harriman St. from Sheridan St. to Almond St.
On Sheridan St. from Boynton St. to Harriman St.
On Almond St. from Boynton St. to Harriman St.
On Oneida St. from Harriman St. to S. Main St.
Alderman Smith

NO PARKING:

On Manchester St., south side, from a point 175 feet west of Union to a point 75 feet west
Alderman Guinta, Highway Department

On Cody St. west side, from Candia Rd. to a point 65 feet south
Alderman Pinard

On South Elm St. east side, from Wyoming Ave. to a point 90 feet north
On Smith Ferry Rd. both sides, from Jay St. to the Dead end
Alderman Garrity

On Third St. east side, from a point 110 feet north of Blaine St. to a point 100 feet north
On Third St. west side, from a point 110 feet north of Blaine St. to a point 135 feet north
On Schiller St. south side, from a point 70 feet east of Second St. to Hill St.
Alderman Smith

NO PARKING LOADING ZONE:

On West Merrimack St., north side, from a point 60 feet west of Hampshire Lane to Franklin St., remove meter # 676
Alderman Guinta

PARKING FOR PUBLIC HEALTH BUSINESS ONLY
(8AM-5PM MONDAY-FRIDAY):

On Elm St. west side, from West Brook St. to a point 120 feet south
Alderman Guinta

PARKING ½ HOUR (MONDAY-SATURDAY -- 8AM-5PM):

On Walker St. south side, from South Main St. to a point 65 feet easterly
Alderman Smith

RESCIND STOP SIGN:

On Varney St. at Rochelle Ave. SWC
Alderman Smith/Police Department

STOP SIGNS:

On N. Bay St. at Ridge Rd., sec
Alderman Wihby

On Pennsylvania Ave. at Lacourse St.
Alderman Sysyn

On Glenbloom Drive at S. Mammoth Rd. NEC
On Glenbloom Drive at Filip's Glen Dr. SWC
On Filip's Glen Dr. at S. Mammoth Rd. NEC
Alderman Devries

On Varney St. at Rochelle Ave. SWC
Alderman Smith/Police Department

Alderman Forest took the following item off of the traffic agenda:

On Douglas St. at Barr St. NEC,SWC (4-way school zone)
Alderman Thibault

Alderman Forest stated I think 4-way stop signs have met their day. I think they are dangerous and I would be opposed to this.

Chairman Sysyn stated but it is in a school zone.

Mr. Lolicata stated we are all opposed to 4-way stop signs except in a school zone. If it is in a school zone, the Committee can allow it. That is the only time.

Deputy Clerk Johnson replied yes that is a policy that the Committee established.

Alderman Forest stated but Douglas Street and Barr Street are eight blocks away from West High. It is not even close to West Side.

Mr. Lolicata responded he was not only talking about West High but the elementary school that is over there.

Alderman Forest replied that is Parkside, which is six blocks north of it. There are no schools within eight or ten blocks of these streets.

Mr. Lolicata stated well if we are going to go by blocks we are going to have to set a policy. I have been going anywhere from four to eight blocks for any school in the City. That is what I have been doing.

Alderman Forest stated these are not close to that at all. This is two blocks south or a block south of Conant Street and it is one block east of Blucher Street so it is three blocks from Parkside and at least five or six blocks from West High. It is not even close to the school.

Mr. Lolicata replied Barr Street is three blocks from West High School.

Alderman Forest responded it is further down than that.

Mr. Lolicata stated I was just there last week. It is no more than three blocks from West High School. Barr Street is three blocks from West High School.

Alderman Forest replied those are long blocks.

Mr. Lolicata stated well I got three blocks.

Alderman Forest responded well I am still opposed to it.

Alderman Guinta stated I want to talk about the No Parking Loading Zone on Hanover Street. I wanted to add on the corner of Hanover and Chestnut where the tailor shop is on the south.

Alderman Lopez stated I talked to the owner of the tailor shop and they have a loading zone until 5 PM but if you could do Hanover Street on the south side of Chestnut Street until 8 PM that would be good.

Deputy Clerk Johnson asked do you want the loading zone on Hanover Street or on Chestnut Street.

Alderman Lopez answered they are both no loading zones now. We just want it to go until 8 PM.

Mr. Lolicata stated one of them is already on the traffic agenda.

Alderman Lopez replied that is correct. Alderman Guinta is trying to add Chestnut Street.

Mr. Lolicata asked do you want to change the hours.

Alderman Guinta answered yes until 8 PM.

Lt. Lussier stated they want to put it in line with the one on Hanover Street.

Deputy Clerk Johnson asked so you want it on Chestnut Street, West Side, from Hanover Street southerly.

Alderman Lopez answered yes. Hanover Street is on the traffic agenda, but not Chestnut Street.

On motion of Alderman Osborne, duly seconded by Alderman Guinta, it was voted to rescind no parking loading zone (8AM-5PM, Monday through Saturday) on Chestnut Street, west side, from Hanover Street to a point 52 feet south and approve no parking loading zone (8AM-8PM, Monday through Saturday) on Chestnut Street, west side, from Hanover Street to a point 52 feet south.

On motion of Alderman Osborne, duly seconded by Alderman Guinta, it was voted to approve the traffic agenda.

Alderman Garrity moved to approve the four-way stop sign on Douglas St. at Barr St. NEC,SWC (4-way school zone). Alderman Guinta duly seconded the motion. Chairman Sysyn called for a vote. The motion carried with Alderman Forest being duly recorded in opposition.

NEW BUSINESS

Request from Deputy Chief Albin asking for permission to close Elm Street from Salmon to Merrimack and Merrimack Street from Chestnut to Pine on Sunday, October 6, 2002 in conjunction with the 49th annual Fire Prevention Parade and Muster.

Request from the Chairman of the Democratic Committee to close McNeil Street on September 22, 2002 between 2 PM and 7 PM for a Democratic Neighborhood party.

On motion of Alderman Garrity, duly seconded by Alderman Guinta, it was voted to approve these two requests under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.

Deputy Clerk Johnson stated I have one other item. The Police Department had brought this in this evening. Riverfest is this weekend and that is why we are bringing this in. They asked the State for closure of the off-ramp at Exit 5 and the State has agreed to do that subject to some conditions. One is that the City hold them harmless if there was any damage by the fireworks to the ramp.

Chairman Sysyn asked is this just for the fireworks.

Deputy Clerk Johnson answered yes it is for the fireworks on Saturday night. They are asking that the ramp be closed and the State is saying yes you can do that but the City has to hold the State harmless for closure.

Mr. Lolicata asked haven't we done this before.

Lt. Lussier answered we did this back in 1996 and there were no issues. This year the State had some issues with it. The Riverfest Committee had to write a letter to them and it went before the Commissioner and she approved it with these stipulations. Our liability really lies in the fact that during the day people come off that highway and are diverted west. If we allow traffic to back-up to the point where it backs up off onto the highway we become liable under this if something happens or if there is an accident. We are going to have an officer assigned at the bottom of that ramp and his sole purpose in life is going to be to make sure the traffic doesn't back-up onto the highway. Once we close off the highway for an hour, the off-ramp for an hour, the State Highway and State Police will be responsible for closing it down and anything that happens then is their responsibility. Our only real responsibility is making sure that the traffic doesn't back-up onto the highway and cause problems. There are going to be four State troopers out there. As far as the damage to the road, I would ask Tom Arnold what happens if there is damage on the bridge. Riverfest must have insurance to cover that.

Deputy Solicitor Arnold replied I am not sure.

Lt. Lussier stated that is where you are more likely to get damage. All you are going to get on the off-ramp is debris falling. I have already spoken to Highway...

Alderman Forest interjected if a car gets rear-ended or something will our liability cover it.

Deputy Solicitor Arnold replied it says "all claims arising from the closure" so yes if it is related to the closure the City agrees to indemnify the State.

Alderman Guinta asked so we either do this or we don't have the fireworks at Riverfest.

Deputy Solicitor Arnold answered I don't know.

Lt. Lussier stated there is no room for negotiation. I spoke to the people today. Either this agreement is signed or that is it.

Alderman Forest asked wouldn't we need an answer on this before we vote on it as far as is our liability insurance going to cover it. Somebody would have to research it. Let's say a car gets rear ended because we cause a back up on the Highway. Are they going to hold us liable?

Deputy Solicitor Arnold replied I am not sure I understand your question.

Alderman Forest stated well I asked does our liability or do we cover something like this and you said you didn't know.

Deputy Solicitor Arnold replied I said I didn't know if Riverfest had insurance to cover it. These types of claims by the City are self-insured.

Chairman Sysyn stated Riverfest has to have some type of insurance before they can operate don't they.

Deputy Clerk Johnson stated you could make that a condition of approval.

Alderman Guinta asked the full Board is going to take this up tonight right.

Chairman Sysyn answered yes.

Deputy Solicitor Arnold stated you could do it subject to a condition that Riverfest have insurance acceptable to the Risk Manager.

Alderman Guinta stated that would insure any injuries due to fireworks...

Chairman Sysyn interjected and closing the ramp because it is the closing of the ramp that is going to...

Deputy Clerk Johnson interjected the closing of the ramp is created by the fireworks and it should be covered in their policy if they have one.

Alderman Guinta stated if we act on this and they say no then there is no Riverfest.

Chairman Sysyn replied there would still be Riverfest but no fireworks.

Alderman Guinta moved to approve the agreement contingent upon Riverfest having insurance coverage acceptable to the Risk Manager. Alderman Forest duly seconded the motion.

Lt. Lussier stated I mentioned to these people at the State that traffic backs up there every day at rush hour and they acknowledged that but that is because there is too much traffic for the size of that ramp. The issue is that by diverting everybody west we are causing the problem so it would have nothing to do with closing the ramp. During the course of the day if traffic backs up because somebody gets rear-ended I don't think Riverfest is going to want to assume that. I think Riverfest is going to assume damage to the road.

Deputy Solicitor Arnold stated the agreement was "from all claims relating to the closure of the I-293 off-ramp" so it would have to be related to the closure not just an accident that happened during the day prior to the closing.

Chairman Sysyn stated and they are going to have two signs up before saying that they are going to close that ramp.

Lt. Lussier stated we are changing traffic flow patterns.

Deputy Solicitor Arnold replied that is not my reading of the indemnity agreement.

Deputy Clerk Johnson stated that is not part of this.

Alderman Forest stated that is why I asked the question I asked. We are creating the situation.

Lt. Lussier stated we change traffic flow patterns every time there is an event. If there are fireworks we close off roads and block it off. It is something we do all the time. It is nothing new.

Chairman Sysyn called for a vote. There being none opposed, the motion carried.

Chairman Sysyn stated we don't have any time to take anything off the table but I want to ask the City Clerk to set-up a special meeting for us to discuss the parking garage contract. I would like to have it October 21.

Alderman Guinta asked is that going to be enough time to get it approved in November. The only concern I have is I don't want to give them another extension.

Mr. Lolicata answered we haven't gotten the second extension yet so right now you still have September 30 and I am still waiting for them to give me an extension...

Deputy Clerk Johnson interjected you have until November 7 under the current contract. The full Board approved that.

Mr. Lolicata stated I understand that but I am just saying they haven't given me anything saying yes yet. That is what I am trying to get at.

Alderman Guinta asked who, National.

Mr. Lolicata answered right.

Alderman Guinta asked so National hasn't agreed to the extension.

Mr. Lolicata answered exactly. I am still waiting for a piece of paper that says they agree. You are protected right now until September 30.

Alderman Guinta stated they have been working without a contract for eons so...

Chairman Sysyn interjected Tom do they know you are waiting for something.

Deputy Clerk Johnson stated if you hold the meeting October 21 you can bring it to the November board meeting.

Alderman Guinta asked is the November board meeting before or after November 7.

Deputy Clerk Johnson answered November 5 is the election so the meeting would be on November 6. We set up the contract extension to allow the Board the opportunity to act or allow the Committee to work it out and have the Board act on it on November 6.

After more discussion, it was decided to schedule the meeting for Monday, September 23.

TABLED ITEMS

9. Discussion regarding recommendation for management of the Canal and Victory Parking Garages.

This item remained on the table.

10. Discussion regarding free parking at the Canal and Victory Parking Garages on Saturday and Sunday.
(Tabled 03/18/02)

This item remained on the table.

11. Discussion regarding Parking Permit Fee increase.
(Tabled 07/23/02)

This item remained on the table.

There being no further business, on motion of Alderman Forest, duly seconded by Alderman Guinta, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee